

**REMARKS:**

Claim 14-28 are currently pending, among which claim 14 is an independent claim.

**Claim Rejection under 35 USC 102 and 103**

Claims 14-16, 18, 21, 22, 25, 26 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by McCormick et al. (U.S. Patent No. 6,378,665). Claims 17, 19, 20, 23, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick in view of Giacomazza (U.S. Patent No. 6,223,866). Applicants respectfully submit the pending claims should be patentable over McCormick and Giacomazza, either alone or in combination.

Claim 14 as amendment above now calls for a return spring to extend from the base end generally in the axial direction away from the brake pad and is folded back to extend towards the brake pad so that the distal end presses the supporting member. Please note that the return spring extends generally in the axial direction away from the brake pad.

McCormick does not disclose or teach the return spring so configured. In McCormick, as shown in Fig. 1, the spring 50 has the straight portions 58A, 158A extending, from the curved transition portion 58C, 158C (see Fig. 8), in the radial direction and is folded back so as to be attached to the arm 14. The configuration in which the straight portions 58A, 158A of the spring 50 extend in the radial direction is necessary to avoid interference with the brake rotor 22 by the spring 50 when the friction pads 18B, 20B of the brake shoes 18, 20 are worn out, as the spring 50 is attached to the internal surfaces of backing plates 18A, 20A which face the brake rotor 22. However, this configuration gives rise to the following problem. The spring 50 are attached to the internal surfaces of backing plates 18A, 20A to push the brake shoes 18, 20 in the axial direction away from each other. The places of the backing plates 18A, 20A to which the spring 50 is attachable are limited due to interference with the brake rotor 22, although it is preferable that the spring 50 is attached to the backing plates 18A, 20A at locations deeper in the radial direction. In fact, in McCormick, to avoid interference with the brake rotor 22, the spring 50 is necessarily attached to the peripheries of the backing plates 18A, 20A. In other words, in McCormick, the brake shoes 18, 20 are pushed away by the spring 50 in a slanted fashion with respect to the brake rotor 22.

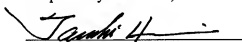
It is preferable that the brake shoes are pushed away in the axial direction at certain locations which are deeper in the radial direction than those to which the spring 50 is attached as

shown in the drawings of McCormick, so that the brake shoes move away from the brake rotor with an even clearance across the surfaces facing the rotor. The present invention is configured to achieve this by having the configuration in which the return spring extends generally in the axial direction away from the brake pad. Therefore, McCormick cannot anticipate claim 14. Since McCormick cannot anticipate claim 14, it cannot anticipate claims 15, 16, 18, 21, 22, 25, 26 and 28 as they are dependent from claim 14.

Applicants have already overcome Giacomazza. Also, Giacomazza is silent about the configuration of the return spring as recited in claim 14. Claims 15, 16, 18, 21, 22, 25, 26 and 28 should not be obvious over a combination of McCormick and Giacomazza. For the reasons set forth above, McCormick and Giacomazza, either alone or in combination, fail to teach the invention recited in claims 14-28. Thus, these claims should be allowable over these references.

The Examiner stated in the Office Action that Delaunay (US Patent No. 4,219,105) teaches the use of a return spring having a base end attached to the brake pad and a distal end situated in a recess in the supporting member. Please note that the spring 24 of Delaunay does not function to push the friction members 18 and 20 apart. The spring 24 of Delaunay functions to make a clearance between the supporting member and the friction members 18 and 20. The spring 24 of Delaunay is provided for noise-reduction.

Respectfully submitted,



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